

REMARKS

Claims 1-53 are pending. Applicant has cancelled claims 2-53, without prejudice to prosecuting the cancelled material at another point in time. Claim 1 is newly amended, support for which can be found in the specification and claims as originally filed. No new matter has been presented.

Claim Rejections – 35 USC § 112

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the office action indicates that the term “VPAC2” is ambiguous and suggests that the full name of the term be spelled out. Accordingly, Applicant has amended claim 1 to recite Vasoactive intestinal peptide receptor type 2 (VPAC2). Support is found throughout the specification, specifically in the references disclosed on page 3, lines 4-6. Further, the term “VPAC2” is well known acronym in the art for Vasoactive intestinal peptide receptor type 2, as evidenced by the following published articles: Metwali et al., “*IL-4 regulates VIP receptor subtype 2 mRNA (VPAC2) expression in T cells in murine schistosomiasis*,” FASEB J. 2000 May;14(7):948-54, and Lara-Marquez, ML, *Vasoactive intestinal peptide (VIP) receptor type 2 (VPAC2) is the predominant receptor expressed in human thymocytes*. Ann N Y Acad Sci. 2000;921:45-54.

Further, the office action states that the term “homology” is ambiguous and suggests that the term “identity” be used. Support is found throughout the specification, specifically in the second sentence of paragraph 0062 of the instant application, as published on the USPTO web site as Control Number 20040058870.

Finally, the office action states that Markush language is ambiguous. Accordingly, Applicant has amended claim 1 to remove the Markush language.


In light of the above remarks and claim amendments, Applicant respectfully requests reconsideration and withdrawal of the rejections.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance. No fee is believed to be required. However, the Commissioner for Patents is hereby authorized to charge any fees required to Deposit Account No. 04-1105, Reference 54716/66818.

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Respectfully submitted,

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